

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Andrew S. VAN LUCHENE

) Examiner: Not Yet Assigned

Serial No.: 10/643,803

) Group Art Unit: 3622

Filing Date: August 19, 2003

) Attorney Docket No: 98-024-C1

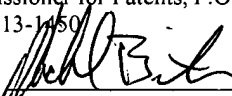
) **CUSTOMER NO.: 22927**

For: METHOD AND APPARATUS FOR  
FACILITATING THE PLAY OF  
FRACTIONAL LOTTERY TICKETS  
UTILIZING POINT-OF-SALE  
TERMINALS

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: 01/20/04 By:

  
Michael D. Brinton

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): \_\_\_\_\_.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): \_\_\_\_\_.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
  - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.

- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. ☒ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

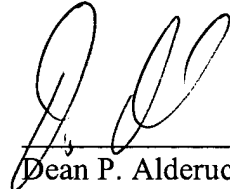
<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
09/107,971	Walker et al.	June 30, 1998	2642	

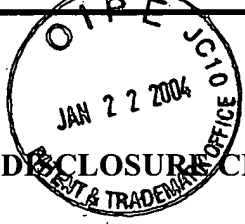
The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
13. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

January 20, 2004  
Date

  
\_\_\_\_\_  
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 <b>INFORMATION DISCLOSURE CITATION</b>	Docket Number 98-024-C1	Serial Number 10/643,803
	Applicants Andrew S. VAN LUCHENE	
	Filing Date August 19, 2003	Group Art Unit 3622

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A	4,441,160	04/03/84	Azcua et al.	364	900	
	B	4,876,592	10/24/89	Von Kohorn	358	84	
	C	4,902,880	02/20/90	Garczynski et al.	235	375	
	D	5,025,372	06/18/91	Burton et al.	364	406	
	E	5,256,863	10/26/93	Ferguson et al.	235	383	
	F	5,297,026	03/22/94	Hoffman	364	408	
	G	5,305,195	04/19/94	Murphy	364	401	
	H	5,371,796	12/06/94	Avarne	380	23	
	I	5,398,932	03/21/95	Eberhardt et al.	273	138 A	
	J	5,539,189	07/23/96	Wilson	235	379	
	K	5,564,546	10/15/96	Molbak et al.	194	216	
	L	5,619,558	04/08/97	Jheeta	379	90	
	M	5,621,812	04/15/97	Deaton et al.	382	100	

**FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
						Yes	No
N	EP 0 085 546 A2	08/10/83	Europe				
O	EP 0 109 189 A1	05/23/84	Europe				

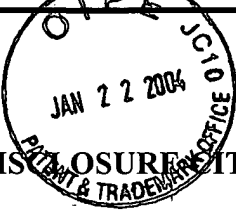
**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

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**EXAMINER**

**DATE CONSIDERED:**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	P	5,638,457	06/10/97	Deaton et al.	382	100	
	Q	5,642,484	06/24/97	Harrison, III et al.	395	214	
	R	5,642,485	06/24/97	Deaton et al.	395	214	
	S	5,644,723	07/01/97	Deaton et al.	395	214	
	T	5,649,114	07/15/97	Deaton et al.	395	214	
	U	5,652,421	07/29/97	Veeneman et al.	235	381	
	V	5,655,007	08/05/97	McAllister	379	91.01	
	W	5,687,322	11/11/97	Deaton et al.	395	214	
	X	5,832,457	11/03/98	O'Brien et al.	705	14	
	Y	5,845,259	12/01/98	West et al.	705	14	
	Z	5,857,175	01/05/99	Day et al.	705	14	
	AA	5,890,718	04/06/99	Byon	273	459	
	BB	5,946,665	08/31/99	Suzuki et al.	705	26	

**FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	Translation	
						Yes	No
CC	WO 96/36926	11/21/96	PCT				
DD	WO 97/28510	08/07/97	PCT				

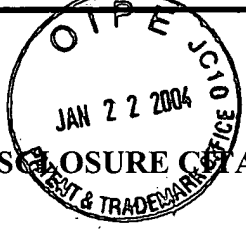
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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	EE	5,999,914	12/07/99	Blinn et al.	705	26	
	FF	6,014,634	01/11/00	Scroggie et al.	705	14	
	GG	6,024,288	02/15/00	Gottlich et al.	235	493	
	HH	6,070,147	05/30/00	Harms et al.	705	14	
	II	6,064,987	05/16/00	Walker et al.	705	38	
	JJ	6,088,682	07/11/00	Burke	705	17	
	KK	6,112,191	08/29/00	Burke	705	41	
	LL	6,119,099	09/12/00	Walker et al.	705	16	
	MM	6,138,105	10/24/00	Walker et al.	705	10	
	NN	US 6,223,163 B1	04/24/01	Van Luchene	705	1	
	OO	US 6,267,670 B1	07/31/01	Walker et al.	463	17	
	PP	US 6,292,786 B1	09/18/01	Deaton et al.	705	14	
	QQ	US 6,298,329 B1	10/02/01	Walker et al.	705	14	

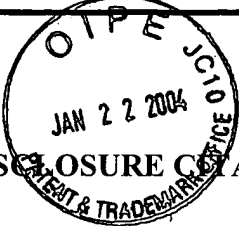
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	RR	US 6,298,331 B1	10/02/01	Walker et al.	705	15	
	SS	US 6,307,958 B1	10/23/01	Deaton et al.	382	139	
	TT	US 6,321,210 B1	11/20/01	O'Brien et al.	705	14	
	UU	US 6,582,304 B2	06/24/03	Walker et al.	463	17	
	VV	US 6,598,024 B1	07/22/03	Walker et al.	705	16	

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							Yes	No

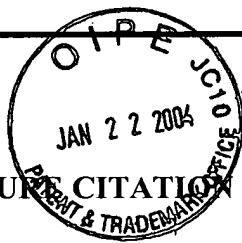
**OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)**

	WW	Brochure: "POSitive Input; The McDonald's POS-3 System Newsletter from Olivetti Solutions/OLSY", pp. 1-8.
	XX	Brochure, "Reaching Out In New Directions", First Data Corp. Merchant Services, undated.
	YY	Silverman, Gene, "Planning and using infomercial campaigns effectively.", Direct Marketing, September 1995, Vol. 58, No. 5, pg. 32(3).

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ZZ

McKinney, Jeff, "Merchant program could pay off for Provident", The Cincinnati Enquirer, March 24, 1996, Section: Financial, pg. E02.

AAA

"Bigger Plans (Provident Bank, issuer of MeritValue customer loyalty card, plans to offer program in 25 cities in sic months)", Card Fax, October 7, 1996, Vol. 96, No. 178, pg. 2.

BBB

Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", The American Banker, October 18, 1996, Section: Credit/Debit/ATMs, pg. 10.

CCC

Fitzgerald, Kate, "Amex Program Moves Loyalty to Next Level: Custom Extras Finds a Medium Customers Can't Ignore: Billing Statements", Advertising Age, November 4, 1996, Section: News, pg. 2.

DDD

Quittner, Jeremy, "Ohio's Provident brings its discount card to Fla.", American Banker, February 11, 1997, Vol. 162, Issue 28, pg. 11, 1/3p, ISSN: 0002-7561.

EEE

Symons, Allene, "Lucky, Sav-on Debut Rewards Card.", Drug Store News, February 17, 1997, Vol. 19, Issue 4, pg. 3, 2p, 1c, ISSN: 0191-7587.

FFF

Mckeveny, Alexander, "Giving them a good reason.", Bank Marketing, March 1997, Vol. 29, Issue 3, pg. 37, 4p, 4c, ISSN: 0888-3149.

GGG

Fickenscher, Lisa, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns", The American Banker, March 24, 1997, Section: Credit/Debit/ATMs, pg. 20.

HHH

"Dispensing the future", Electronic Payments International, May 1997, Section: Feature, pg. 12.

III

"Industry Briefs", Card News, June 9, 1997, Section: Vol. 12, No. 11.

JJJ

Hoeschen, Brad, "Brookfield Square hopes mall card strikes a chord", Business Journal-Milwaukee, September 12, 1997, Section: Vol. 14, No. 50, pg. 19.

KKK

Website: "NCR 7452 Workstation -- Beyond Traditional POS", ([http://www.ncr.com/product/retail/products/catalog/7452\\_shtm](http://www.ncr.com/product/retail/products/catalog/7452_shtm)), download date: September 23, 1997.

LLL

"NCR 7453 PC-Based Point-of-Sale Solution", NCR Corporation, Copyright 1998.

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